

Amendment 145 has been re-categorized to the Public Safety category.

Amendments from the Judiciary: 11, 12, 127, 129, 169, 171, 184, 204, 205, 265, 270, 279, 292, 293, 294, 296, 298, 299, 300, 301, 302, 303, 379, 391, 466, 475, 494, 537, 542, 693, 768, 797, 805, 831, and 984

Mr. Murphy and others move to amend H. 4100 in section 2, in item 0320-0010, by striking out the figures “\$1,166,511” and inserting in place thereof the figures “\$1,241,511”

And further amend the bill in section 2, in item 0322-0100, by striking out the figures “\$10,723,851” and inserting in place thereof the figures “\$10,923,851”

And further amend the bill in section 2, by striking item 0330-0300 and inserting in place thereof the following item:-

0330-0300 For the central administration of the trial court, including costs associated with trial court non-employee services, trial court dental and vision health plan agreement, jury expenses, trial court law libraries, statewide telecommunications, private and municipal court rental and leases, operation of courthouse facilities, rental of county court facilities, witness fees, printing expenses, equipment maintenance and repairs, court interpreter program, insurance and chargeback costs, the Massachusetts sentencing commission, and judicial training; provided, that not less than \$2,000,000 shall be spent on guardian ad litem services for children in the custody of the commonwealth; provided further, that not less than \$486,000 shall be spent on permanency mediation services; provided further, that 50 per cent of all fees payable pursuant to Massachusetts Rules of Criminal Procedure 15(d) and 30(c)(8) shall be paid from this item; provided further, that notwithstanding section 9A of chapter 30, or any other general or special law to the contrary, the rights afforded to a veteran, pursuant to said section 9A of said chapter 30, shall also be afforded to any such veteran, who holds a trial court office or position in the service of the commonwealth not classified under chapter 31, other than an elective office, an appointive office for a fixed term or an office or position under section 7 of chapter 30, and who: (1) has held the office or position for not less than 1 year; and (2) has 30 years of total creditable service to the commonwealth, as defined in chapter 32; provided further, that the trial court shall submit a report to the victim and witness assistance board detailing the amount of assessments imposed within each court by a justice or clerk-magistrate during the previous calendar year pursuant to section 8 of chapter 258B of the General

Laws; provided further, that the report shall include, but not be limited to, the number of cases in which the assessment was reduced or waived by a judge or clerk-magistrate within the courts; and provided further, that the report shall be submitted to the victim and witness assistance board on or before January 12, 2010.....\$139,826,674

And further amend the bill in section 2, by inserting after item 0330-3334 the following item:-

0330-3337 For the chief justice of administration and management; provided, that the chief justice may expend an amount not to exceed \$9,300,000 from fees collected pursuant to paragraph (4) of subsection (A) of section 3 of chapter 90C of the General Laws, and from increased administrative probation fees pursuant to section 87A of chapter 276 of the General Laws; provided further, that any expenditures or allocations shall be made in accordance with schedules submitted to the house and senate committees on ways and means 30 days before the expenditures or allocations are made; provided further, that a schedule detailing the full allotment of said \$9,300,000 shall be submitted to the house and senate committees on ways and means not later than February 1, 2010; and provided further, that the fees shall continue to be transmitted to the treasurer for deposit into the General Fund before the expenditure authorized by this item.....\$9,300,000

And further amend the bill in section 2, by striking item 0333-0002 and inserting in place thereof the following item:-

0333-0002 For the operation of the probate and family court department; provided, that there shall be a child and parents program in the Barnstable probate court; provided further, that there shall be a Berkshire, Franklin, Hampden and Hampshire family court clinic to be administratively located in the city of Springfield and to serve the Berkshire, Franklin, Hampden, and Hampshire divisions of the probate court; provided further, that there shall be a Middlesex probate court family services clinic; provided further, that there shall be a Middlesex community access program of community outreach and education; provided further, that the program shall be targeted at low income persons who experience educational and language barriers to court access; and provided further, that the program shall be administered by the register of probate of Middlesex county; provided further, that there shall be a Suffolk probate

community access program of community outreach and education; provided further, that said program shall be targeted at low income persons who experience educational and language barriers to court access; provided further, that said program shall be administered by the register of probate of Suffolk county; and provided further, that there shall be a Worcester probate court family services clinic\$27,343,103

And further amend the bill in section 2, by striking item 0337-0002 and inserting in place thereof the following item:-

0337-0002 For the operation of the juvenile court department; provided, that \$145,841 shall be expended for the CASA program in Springfield juvenile courts; provided further, that \$72,920 shall be expended for the CASA program in the Worcester juvenile court; provided further, that \$72,920 shall be expended for the CASA program in Plymouth County juvenile court; provided further, that \$100,000 shall be expended for the CASA program in the Lawrence juvenile court; provided further, that \$77,478 shall be expended for the Franklin/Hampshire CASA program, including Northampton, Greenfield, Orange and Ware sessions; and provided further, that \$54,690 shall be expended for a Berkshire CASA program in the Berkshire County juvenile court.....\$15,318,706

And further amend the bill in section 2, in item 0339-1001, by striking out the figures “\$125,248,734” and inserting in place thereof the figures “\$133,373,975”

And further amend the bill in section 2, by striking item 0339-1003 and inserting in place thereof the following item:-

0339-1003 For the operation of the trial court office of community corrections, including the costs of personnel; provided, that funds shall be expended for the cost of intensive supervision and community corrections programs; provided further, that the programs shall include, but not be limited to, tracking, community service, educational assistance, drug and alcohol testing and treatment, curfew enforcement, home confinement, day reporting, means-tested fines, restitution, and community incapacitation or restraint; provided further, that the number of placements in the programs shall not exceed a daily average goal of 5,000 intensively-supervised probationers; provided further, that funds from this item shall be expended to cover the costs of the programs that are undertaken and administered

by court probation offices and county sheriffs' offices; provided further, that said funds shall be expended for the purpose of providing such programs in Barnstable, Berkshire, Bristol, Dukes, Essex, Franklin, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, and Worcester counties in fiscal year 2010; provided further, that the executive director of the office of community corrections of the trial court shall enter into interagency service agreements and memoranda of understanding with the probation offices and sheriffs' offices for the provision of such programs, including the contracting for detention space for probationers arrested for violating probation and awaiting court action and detention space for probationers who have been ordered by the trial court to be supervised at a higher level of restraint; provided further, that such agreements and memoranda shall be entered into at the direction of the executive director; provided further, that the executive director shall submit a spending and management plan for the programs to the house and senate committees on ways and means not later than January 30, 2010; and provided further, that the plan shall include the projected number of probationers to be served by each program and include a description of the oversight and services provided to the probationers.....\$24,820,440

And further amend the bill by inserting after section 18 the following sections:-

SECTION 18A. Paragraph (4) of subsection (A) of section 3 of chapter 90C of the General Laws, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:-

Upon his appearance before the clerk magistrate who is assigned to such a noncriminal hearing, the violator shall pay to said clerk magistrate a fee of \$20 before the commencement of the hearing.

SECTION 18B. Said paragraph (4) of said subsection (A) of said section 3 of said chapter 90C, as so appearing, is hereby further amended by striking out, in line 56, the figure "\$20" and inserting in place thereof the following figure:- \$25.

And further amend the bill by inserting after section 26 the following section:-

SECTION 26A. Section 87A of chapter 276 of the General Laws, as so appearing, is hereby amended by striking out, in line 16, the figure "\$20" and inserting in place thereof the following figure:- \$40.

And further amend the bill by inserting after section 27 the following section:-

SECTION 27A. Notwithstanding any general or special law to the contrary, the administrative office of the trial court shall study the feasibility and costs associated with relocating its office to state-owned property. The administrative office of the trial court shall report its findings to the house and senate committees on ways and means and the joint committee on the judiciary no later than December 31, 2009.

And further amend the bill by inserting the following section:-

SECTION XX. Section 23D of Chapter 217 of the General Laws, as so appearing is hereby amended by striking out the words “Middlesex, 6 assistant judicial case managers” and in its place insert the words “Middlesex, 8 assistant judicial case managers”.